

**Remarks**

Claim 1 has been amended to remove the word "shell," which was inadvertently included in the preamble, and to make the preamble consistent with the preambles of the claims that depend from claim 1. This amendment is not related to any requirement for patentability.

**Restriction Requirement**

The Examiner requires restriction on grounds that the claims embody two distinct inventions. Applicant provisionally elects invention I (claims 1-9), traverses, and requests reconsideration and withdrawal of the restriction requirement between Inventions I and II.

Applicant suggests that the distinction between "acetabular shell impactor" and "acetabular impactor" that the Examiner appears to have drawn in the categorization of the inventions does not appear to be a basis for separate classification. For example, all of the claims are for acetabular impactors and all of the claims include the phrase "connection for attaching an acetabular *shell*". Since Inventions I and II are both acetabular impactors, the Examiner's conclusion that "The subcombination has separate utility, such as an acetabular impactor" is unclear. It appears that Inventions I and II as claimed can both be classified in class 606, subclass 99 ("prosthesis inserter or extractor"), and therefore do not have a separate classification in the art. Since it is unclear to applicant whether Inventions I and II can properly be classified in separate classes, applicant respectfully traverses the restriction requirement.

**Election Requirement**

The Examiner further concludes that the application contains claims directed to patentably distinct species in five different groups, and requires election to a single disclosed species. Applicant provisionally elects the species of Figure 1. Applicant is unclear as to the distinction that is being made between Figures 1 and Figure 2A (as well as between Figures 1

and 2B), and therefore requests reconsideration of the election requirement between Figures 1 and Figure 2A. In applicant's view, at least claims 1-13, 16-18 and 20 read on Figure 1, while at least claims 1-5, 7-13, 16-18 and 20 read on Figure 2A. Since no reason has been given as to why the elected species are separate and distinct inventions, applicant traverses the election requirement.

It is believed that this response has been filed within the applicable time period for responding and that no extension of time is therefore required, but if an extension is required, applicant hereby requests an appropriate extension of time. It is further believed that no fees are due, but if any fees or credits are due, the Commissioner is authorized to charge or deposit them to Deposit Account No. 502795.

Respectfully submitted,



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